

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

ERIC LEE ROSE,	)	
	)	
Petitioner,	)	Civil Case No. 06-6078-JE
	)	
vs.	)	ORDER
	)	
GUY HALL,	)	
	)	
Respondent.	)	
_____	)	

Craig E. Weinerman  
Assistant Federal Public Defender  
151 W. Seventh Avenue, Suite 510  
Eugene, Oregon 97401

Attorney for Petitioner

Hardy Myers  
Attorney General  
Jacqueline Sadker  
Assistant Attorney General  
Department of Justice  
1162 Court Street NE  
Salem, Oregon 97310

Attorneys for Respondent

KING, Judge:

The Honorable John Jelderks, United States Magistrate Judge, filed Findings and Recommendation on April 23, 2008. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). Petitioner has filed objections and defendant has filed a response.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a *de novo* determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Having given a *de novo* review of the issues raised in the objections to the Findings and Recommendation, I find no error.

Accordingly, I ADOPT Judge Jelderks's Findings and Recommendation (#37), and DENY the Amended Petition for Writ of Habeas Corpus (#29). This action is dismissed.

Dated this 6th day of May, 2008.

/s/ Garr M. King  
Garr M. King  
United States District Judge